

Timelines for Nonresident Agreements

Attendance Regulation 702 KAR 7:125

<http://www.lrc.ky.gov/kar/702/007/125.htm>

(Review your board policy – KSBA 09.125)

Most local boards start a review of nonresident contracts (if they have them) during the month of December for the next school year. Timelines are set in regulation. This is what you should go by, unless your board policy requires a different set of dates. Some boards require the information sooner than the dates stated here.

Section 8. Nonresident Pupils. (1)(a) A written agreement executed by local boards of education for enrollment of nonresident pupils as provided by KRS 157.350 (4) shall be filed in both the attending district and the resident district no later than **February 1** of the year prior to the school year to which it will apply.

(b) The written agreement shall include the specific terms to which the districts have agreed.

(c) A list of the names of all nonresident pupils enrolled in the attending district covered by the agreement shall be filed in both the attending district and the resident district not later than **November 1** of the school year covered by the agreement.

(d) A change may be made to the original nonresident pupil agreement up to the close of the school year to include the nonresident pupils enrolling after the close of the second school month. The amendment shall be filed in both the attending district and the resident district no later than **June 30** of each year.

(2) A list of the names of all nonresident pupils whose parent is an employee of the district as provided by KRS 157.350(4)(b) and who are not covered by the nonresident agreement shall be filed in both the attending district and the resident district not later than **November 1** of the school year.

Charging Tuition

Information about nonresident student tuition is in KRS 158.120:

<http://www.lrc.ky.gov/Statutes/statute.aspx?id=3443>

(Review your board policy – KSBA 09.124 and 09.124 AP.21)

Resolution of Disputes

KRS 157.350

<http://www.lrc.ky.gov/Statutes/statute.aspx?id=42138>

Includes no nonresident pupils in its average daily attendance, except:

- (a) 1. Pupils listed under a written agreement, which may be for multiple years, with the district of the pupils' legal residence.
2. If an agreement cannot be reached, either board may appeal to the commissioner for settlement of the dispute.
3. The commissioner shall have thirty (30) days to resolve the dispute. Either board may appeal the commissioner's decision to the Kentucky Board of Education.
4. The commissioner and the Kentucky Board of Education shall consider the factors affecting the districts, including but not limited to academic performance and the impact on programs, school facilities, transportation, and staffing of the districts.
5. The Kentucky Board of Education shall have sixty (60) days to approve or amend the decision of the commissioner; and
- (b) A nonresident pupil who attends a district in which a parent of the pupil is employed. All tuition fees required of a nonresident pupil may be waived for a pupil who meets the requirements of this paragraph